



General Assembly

January Session, 2009

***Amendment***

LCO No. 7136

**\*SB0108007136SR0\***

Offered by:

SEN. DEBICELLA, 21<sup>st</sup> Dist.

To: Subst. Senate Bill No. 1080

File No. 606

Cal. No. 425

***"AN ACT CONCERNING ACCESS TO HEALTH AND NUTRITIONAL  
INFORMATION IN RESTAURANTS."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2009*) (a) As used in this section  
4 and section 2 of this act:

5 (1) "Restaurant" means any entity, other than a grocery store, that is  
6 licensed, permitted, registered or inspected as a food service  
7 establishment by a local health department or district health  
8 department pursuant to section 19-13-B42 of the regulations of  
9 Connecticut state agencies.

10 (2) "Chain restaurant" means a restaurant that is part of a group of  
11 fifteen or more restaurant locations nationally, doing business under  
12 the same trade name, offering predominantly the same types of meals,  
13 foods or menus, regardless of the type of ownership of the individual  
14 restaurant locations.

15 (3) "Grocery store" means any store commonly known as a  
16 supermarket or food store, primarily engaged in the retail sale of all  
17 sorts of prepackaged, canned and dry goods such as tea, coffee, spices,  
18 sugar and flour, either packaged or in bulk, with or without fresh  
19 fruits and vegetables, and with or without fresh, smoked and prepared  
20 meats, fish and poultry.

21 (4) "Authorized agent" means any individual certified by the  
22 Commissioner of Public Health to inspect food service establishments  
23 and enforce the provisions of section 19-13-B42 of the regulations of  
24 Connecticut state agencies under the supervision or authority of the  
25 director of health.

26 (5) "Director of health" means the director of a local health  
27 department or district health department approved by the  
28 Commissioner of Public Health, as specified in sections 19a-200 and  
29 19a-242 of the general statutes, respectively.

30 (b) On or before July 1, 2010, upon the request of a consumer, each  
31 chain restaurant shall provide such consumer with a written  
32 declaration of nutrition information for each standard menu item. Such  
33 written declaration of nutrition information shall include content that  
34 conforms to the requirements prescribed in 21 CFR 101.9(c) concerning  
35 labels for packaged foods.

36 (c) This section shall not apply to (1) daily specials and other food or  
37 beverage items offered for sale by a chain restaurant for thirty days or  
38 less, or (2) condiments and other food items placed on tables or  
39 counters for general use without charge, such as bread.

40 Sec. 2. (NEW) (*Effective July 1, 2009*) For the purpose of enforcing the  
41 provisions of section 1 of this act, each authorized agent shall, as part  
42 of the regularly scheduled inspection of a chain restaurant, evaluate  
43 the chain restaurant's compliance with such provisions. As part of such  
44 evaluation, an authorized agent may request that franchisors or  
45 corporate owners of chain restaurants provide documentation of the  
46 accuracy of any nutrition information, but the authorized agent shall

47 not be responsible for verifying the accuracy of the nutrition  
48 information.

49 Sec. 3. Section 19a-36a of the general statutes is repealed and the  
50 following is substituted in lieu thereof (*Effective July 1, 2009*):

51 (a) The Commissioner of Public Health shall adopt regulations, in  
52 accordance with the provisions of chapter 54, to assure that food  
53 service establishments employ as food operators persons who have a  
54 knowledge of safe food handling techniques and to set requirements  
55 for the employment of food operators by such establishments. Such  
56 regulations shall include, but not be limited to, responsibilities of food  
57 service establishments and their employees, exemptions for certain  
58 classes of food establishments and responsibilities of local health  
59 departments in monitoring compliance of food establishments.

60 (b) On or before July 1, 2010, the Commissioner of Public Health  
61 shall adopt regulations, in accordance with the provisions of chapter  
62 54, incorporating inspection and enforcement procedures for the  
63 requirements established in sections 1 and 2 of this act into regularly  
64 scheduled food service establishment inspections."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	New section
Sec. 2	<i>July 1, 2009</i>	New section
Sec. 3	<i>July 1, 2009</i>	19a-36a